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FREEDOM OF INFORMATION APPEAL

Mr. Benjamin Civiletti
Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Mr. Civiletti:

As you know, I represent Mr. Harold Weisberg. The FBI's Baltimore and Washington, D.C. Field Offices have made a very limited response to Mr. Weisberg's Freedom of Information and Privacy Act request for all information in their records on or pertaining to him. Both offices are withholding records on Mr. Weisberg and the documents which they have thus far provided contain unjustifiable excisions. Mr. Weisberg hereby appeals both the excisions and the withholdings.

The January 13, 1978 letter from Nick Stames, Special Agent in Charge, Washington, D.C. Field Office, cites exemptions 1, 2, and 7 to the Freedom of Information Act. I ask that you inform me what law enforcement purpose was involved in the compilation of the withheld records and when any investigation for that purpose began and ended.

Mr. Stames also cites exemption 1, claiming that materials being withheld from Mr. Weisberg are currently and properly classified pursuant to Executive Order 11652. I ask that you inform me when these materials were classified, and by whom.

Mr. Stames' letter also asserts that materials are being withheld under the authority of 28 U.S.C. §552a (d)(5), as information compiled in reasonable anticipation of a civil action or proceeding. I ask that you identify the civil action or proceeding for which this information was compiled.

The letter from the Baltimore Field Office also cites exemption 7. I again ask that you inform me what law enforcement purpose was involved in the compiliation of the withheld materials and when any investigation for that purpose began and ended.

Finally, I note that the Baltimore Field Office makes it explicit that it has provided only records which it believes were not

sent to FBI Headquarters in Washington and therefore not released to Mr. Weisberg by Headquarters. Mr. Weisberg's request is for all records on or pertaining to him, regardless of whether they may have been furnished to FBI Headquarters or another Field Office. All records in the Baltimore and Washington Field Offices should be furnished Mr. Weisberg even if Headquarters has them and has already given them to him.

Sincerely yours,

James H. Lesar

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